

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION**

**SECURITIES AND EXCHANGE  
COMMISSION,**

Plaintiff,

Case No. 2:17-cv-00405-JLR

ANDY SHIN FONG CHEN AND AERO  
SPACE PORT INTERNATIONAL GROUP,  
INC.

## Defendants, and

NORTH AMERICAN FOREIGN TRADE ZONE INDUSTRIES, LLC; WASHINGTON ECONOMIC DEVELOPMENT CAPITAL, LLC; WASHINGTON ECONOMIC DEVELOPMENT CAPITAL II, LLC; EVF, INC.; MOSES LAKE 96000 BUILDING LLC; SUN BASIN ORCHARDS, LLC; PIA, LLC; JOHN CHEN; TOM CHEN; BOBBY CHEN; and HEIDI CHEN.

## Relief Defendants.

**STIPULATION AND [PROPOSED] ORDER**

Plaintiff Securities and Exchange Commission (“SEC”) and Andy Chen and the other parties named in the above caption (“Defendants”), through their undersigned counsel, hereby stipulate as follows:

WHEREAS the parties are engaged in discovery, including the production of documents;

WHEREAS the SEC has in its possession documents received during the investigation from the United States Citizen and Immigration Service (“USCIS”) which are responsive to Defendants’ document requests (the “USCIS Documents”);

WHEREAS the SEC received the USCIS Documents with a pledge to maintain their

1 confidentiality;

2 WHEREAS many of the USCIS Documents appear to involve privileged and deliberative  
3 materials ("Privileged Information");

4 WHEREAS the Dodd-Frank law specifically provided that government agencies could share  
5 material without waiving any legal privilege;  
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7 WHEREAS the SEC will endeavor to withhold all Privileged Information from the USCIS  
8 Documents and to provide a privilege log with respect thereto;

9 IT IS HEREBY STIPULATED AND AGREED THAT:

10 1. The Defendants shall maintain the confidentiality of all produced USCIS Documents  
11 and shall not use them for any purpose outside of this litigation.

12 2. Upon conclusion of this litigation, the Defendants shall return all of the produced  
13 USCIS Documents, and keep no copies of the USCIS Documents;

14 3. The production by the SEC of Privileged Information, whether inadvertent or  
15 otherwise, shall not waive such privilege or protection in this action or in any other federal or state  
16 proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal  
17 Rule of Evidence 502(d).

18 4. Nothing herein is intended to or shall limit Plaintiff's or Defendants' rights (a) to  
19 conduct a review of documents, ESI or other information for relevance, responsiveness, or  
20 segregation and withholding of Privileged Information before or after production; or (b) to exercise  
21 any rights they may have under the Federal Rules of Civil Procedure, including Rule 26(b)(5)(B).

22 5. The Court shall maintain jurisdiction to enforce this Stipulation and Order.  
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1 Dated: June 25, 2018  
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3 By: s/John D. Worland, Jr.

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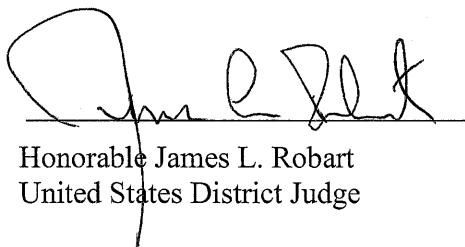
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17 SO ORDERED, this 25<sup>th</sup> day of June, 2018

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Honorable James L. Robart  
United States District Judge